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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

CRIMINAL APPLICATION NO.557 OF 2014

Mangesh Shivaji Mane	...Applicant
Versus	
Bhimrao Mahadeo Desavale and Ors.	...Respondents

Mr.Ranjeet Patil i/b Mr.K.S.Patil, for the Applicant.

Mr.V.V.Gangurde, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

DATE : 8th JUNE, 2017

P.C. :

1. This is an application seeking cancellation of the Anticipatory Bail granted to respondent nos.1 to 6.

2. The applicant is original complainant and respondent nos.1 to 6 are accused in MECR No.5 of 2011, registered with the Ashta Police Station, Sangli, for the alleged offences punishable under Sections 420, 465, 467, 468, 471 r/w 34 of the Indian Penal Code.

3. Pursuant to a private complaint filed by the applicant being R.C.C. No.84 of 2011, the learned Judicial Magistrate First Class, Islampur vide order dated 16th April, 2011 directed investigation under Section 156(3) of the Code of Criminal Procedure. Pursuant thereto, MECR was registered as against the respondents/accused, alleging the aforesaid offences. According to the applicant (original complainant), the respondent nos.1 to 6 have forged the records of the Trust. It is further alleged that no meetings were held as required under the Bombay Public Trust Act, however, records were created to show that meetings were held. The respondents/accused are also alleged to have fabricated several documents. Pursuant to the registration of the MECR, the respondent nos.1 to 6 filed an application seeking Anticipatory Bail in the Court of the learned Sessions Judge, Islampur and the learned Additional Sessions Judge, Islampur vide order dated 24th September, 2014, was pleased to grant pre-arrest bail to the respondent nos.1 to 6. The said order has been impugned in this application.

4. It appears that co-accused – Vilas Yashwant Desavale had also filed an application before this Court seeking pre-arrest bail and that the

present applicant had also filed an Intervention Application in the said Anticipatory Bail Application. This Court (Coram:Smt.Sadhana S. Jadhav,J.) vide order dated 13th January, 2015, passed in Criminal Anticipatory Bail Application No.1298 of 2014 was pleased to grant pre-arrest bail to Vilas Yashwant Desavale. In the said order, it was observed that there were several proceedings pending between the parties before other authorities, hence it was not a fit case for custodial interrogation.

5. Learned Counsel for the applicant is unable to state whether charge-sheet has been filed in the aforesaid case and whether the trial has commenced. The matter was adjourned on the last date to enable the learned counsel for the applicant to take instructions. However, even today the learned counsel for the applicant has not taken any instructions.

6. Perused the impugned order granting pre-arrest bail to respondent nos.1 to 6. The said order is a reasoned order. No interference is warranted in the same.

7. The Application is accordingly rejected and disposed of as such.

(REVATI MOHITE DERE, J.)